AMENDMENTS TO THE CLAIMS

1-32. (Cancelled)

33. (Currently Amended) A light emitting diode (LED) comprising:

a first gallium nitride layer;

an $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer formed over the first gallium nitride layer;

an active layer formed over the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer; and

a second gallium nitride layer formed over the active layer,

wherein the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer has a plurality of pits formed thereon.

34. (Previously Presented) The LED according to claim 33, wherein the active layer comprises an InGaN/InGaN structure of a multi-quantum well structure.

35. (Cancelled)

36. (Currently Amended) The LED according to ~~claim 35~~ claim 33, wherein the number of the pits is 50 or less per area of 5μm×5μm.

37. (Previously Presented) The LED according to claim 33, wherein the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer is formed to have a super lattice structure.

38. (Previously Presented) The LED according to claim 33, wherein each layer of the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer has a thickness of 1~3000 Å.

39. (Previously Presented) The LED according to claim 33, wherein the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer has a photoluminescence characteristic of a yellow band intensity/N-doped GaN intensity ratio of 0.4 or below.

40. (Previously Presented) The LED according to claim 33, wherein the active layer is directly formed on the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer

41. (Previously Presented) The LED according to claim 33, wherein the LED is blue LED.

42. (Currently Amended) A method for manufacturing a light emitting device, the method comprising the steps of:

forming an N-type gallium nitride layer;

forming an $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer above the N-type gallium nitride layer, the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer including layers of first and second growth temperatures;

forming an active layer above the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer; and

forming a P-type gallium nitride layer above the active layer,

wherein the active layer is grown at a temperature lower than the first and second temperatures, and

wherein the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer has a plurality of pits formed thereon.

43. (Previously Presented) The method according to claim 42, wherein the active layer is grown at 600~800 °C.

44. (Previously Presented) The method according to claim 42, wherein the active layer comprises an InGaN/InGaN structure of a multi-quantum well structure.

45. (Cancelled)

46. (Currently Amended) The method according to ~~claim 45~~ claim 42, wherein the number of the pits is 50 or less per area of 5μm×5μm.

47. (Previously Presented) The method according to claim 42, wherein the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer is formed to have a super lattice structure.

48. (Previously Presented) The method according to claim 42, wherein each layer of the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer has a thickness of 1~3000 Å.

49. (Previously Presented) The method according to claim 42, wherein the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer has a photoluminescence characteristic of a yellow band intensity/N-doped GaN intensity ratio of 0.4 or below.

50. (Previously Presented) The method according to claim 42, wherein the active layer is directly formed on the $In_xGa_{1-x}N/In_yGa_{1-y}N$ multi-layer.